

Notice of Allowability

Application No.

10/671,025

Examiner

Chuck Huynh

Applicant(s)

KIM ET AL.

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/28/2005.
2. ☒ The allowed claim(s) is/are 1,3-5,7,8,10 and 12-17.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION
EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Edward J. Smith on 11/21/05.

The application has been amended as follows:

Claim 1. A locking device for a handheld radiotelephone that attaches and detaches a battery pack to and from the radiotelephone comprising:

an elastic locker having a first end fixed on the radiotelephone and a second end selectively locked in a locking hole formed in the battery pack for simultaneously performing an elastic operation and locking operation, wherein the elastic locker formed in a in a "Z" shape, and includes a fixed terminal, which mountedly fixed to a mounting groove of a lower casing frame of the radiotelephone, and a free terminal, which is retreated by a predetermined interval toward at least one of a lower side and a rear side

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around the fixed terminal according to a pushing operation of the pusher, that are integrally formed; and

the pusher being installed on the elastic locker, for pushing the elastic locker.

Claim 2, 6 and 9 are cancelled.

Claims 3 and 4 are now depended on claim 1.

Claim 10. A handheld radiotelephone comprising:

a battery pack for power supply means attachably and detachably equipped on a rear surface of a main body;

a locking device for enabling the battery pack to be attached and detached, the locking device operating in a perpendicular direction with a length direction of the radiotelephone, and the battery pack is attached and detached while forming an arc around an end of the radiotelephone, and wherein a first end is fixed to a predetermined position of a lower casing frame of the radiotelephone and a second end is selectively locked in a locking hole, and further wherein the elastic locker is formed in a "Z" shape and includes a fixed terminal, which is mountedly fixed to a mounting groove of a lower casing frame of the radiotelephone, and a free terminal, which retreated by a predetermined interval toward at least one of a lower side and a rear side around the fixed terminal according to a pushing operation of the pusher, that are integrally formed; and

the pusher for pushing the elastic locker

Claims 11 and 15 are also cancelled.

Claims 12 and 13 are now depended on claim 10.

Allowable Subject Matter

2. Claims 1, 3-5, 7, 8, 10, 12-17 are allowed.

3. The following is an examiner's statement of reasons for allowance:

Claims 1 and 10 are now allowable over the prior art, because there are no prior art that can fully encompass all the limitations of the claim language, specifically the limitation

"...wherein the elastic locker formed in a in a "Z" shape, and includes a fixed terminal, which mountedly fixed to a mounting groove of a lower casing frame of the radiotelephone, and a free terminal, which is retreated by a predetermined interval toward at least one of a lower side and a rear side around the fixed terminal according to a pushing operation of the pusher, that are integrally formed."

Furthermore, Applicant asserted that Independent Claim 1 teaches a locking device for a handheld radiotelephone that attaches and detaches a battery pack to and from the radiotelephone. The locking device employs an elastic locker, in which the elastic locker and the pusher are integrated as a single body. The elastic locker has a first end fixed on the radiophone and a second end selectively locked in a locking hole formed in the battery pack. The elastic locker piece is selectively locked in the locking

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hole in the battery pack "for simultaneously performing an elastic operation and a locking operation", as recited in Claim 1. The simultaneous elastic and locking operation causes the elastic locker to compress when the pusher is depressed so as to move its free end down and away from the locking hole in the battery thereby releasing the battery pack; and to spring to its uncompressed state when the pusher is released, thereby moving its free end up and outward to mate with the locking hole of the battery pack, if the battery pack is in place.

The Examiner asserts that Lee teaches all elements of Claim 1. It is respectfully submitted that the Examiner is incorrect. The device shown as item 10 in Fig. 5 of Lee comprises a pusher (the flat element at the top shown as a semicircular slice) with guides 12 and 12a, and a locking element 11, which engages the battery. With Lee, one element, the tension rib 13, performs the elastic operation and a second element, the locking element 11, performs the locking operation. The elastic element, tension rib 13, does not perform the locking operation. Contrary to this, Claim 1 recites "an elastic locker having a first end fixed on the radio telephone and a second end selectively locked in a locking hole formed in the battery pack." Claim 1 is distinct over prior art for that reason alone.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

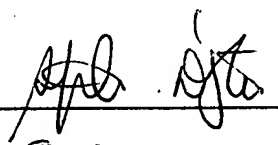
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Huynh whose telephone number is 571-272-7866. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chuck Huynh


11-23-05
STEPHEN D'AGOSTA
PRIMARY EXAMINER